REMARKS

This response is submitted in response to the Final Office Action mailed December 16, 2005, to request reconsideration of the rejection of claims 16-20, 22-26 and 30-32 as set forth therein. In the event the Examiner determines that the foregoing amendments do not place the case in condition for allowance, it is respectfully requested that the above amendments be entered to place the claims in better form for consideration on appeal.

Initially, Applicants would like to thank the Examiner for maintaining the indication that claims 24-26 are allowable.

In the Official Action, the Examiner rejects claims 16-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,917,283 to Sumners (hereinafter "Sumners") in view of U.S. Patent No. 2,075,892 to Evans (hereinafter "Evans"). Furthermore, the Examiner rejects claims 16, 19 and 20 under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 4,893,119 to Nasatka (hereinafter "Nasatka") in view of Evans. Lastly, the Examiner rejects claims 16, 22 and 23 under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,419,537 to Thompson (hereinafter "Thompson") in view of Evans.

Although the Applicants do not agree with the Examiner's rejections for at least the reasons set forth in the previous response, in the interests of advancing prosecution, Applicants have amended independent claim 16 to include the features of claim 19. Applicants reserve the right to file one or more continuation applications directed to the subject matter of claim 16 before amendment thereof.

With regard to dependent claim 19, although the same is rejected by the Examiner, the Examiner has not set forth any reasons for its rejection and has not indicated

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that it is disclosed in any reference of record. Thus, the Applicants feel that the Examiner meant to indicate claim 19 as allowable since its features are similar to those recited in allowable claim 24.
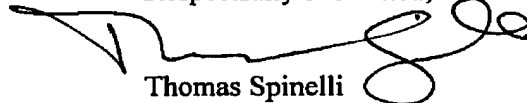
Specifically, claim 19 recited detecting at least one of a vehicle speed, vehicle type, and vehicle weight; and controlling the at least one of the two or more panels based on the detecting. None of the references of record disclose or suggest such a feature. Thus, claim 16 has been amended to include the features of claim 19. Consequently, claim 19 has been canceled and claim 24 has been amended to be consistent with amended claim 16.

The amendment to claim 16 is fully supported in the original disclosure. Thus no new matter has been entered into the disclosure by way of the present amendment. Furthermore, claim 19 was previously presented prior to the Final Official Action (and was original to the application). Therefore, the amendment to claim 16 does not raise a new issue. Accordingly, the Examiner is respectfully requested to enter and consider the amendment to claim 16.

Independent claim 16 is not rendered obvious by the cited references because neither the Sumner patent, Nasatka patent, the Thompson patent nor the Evans patent, whether taken alone or in combination, teach or suggest a method for at least slowing a vehicle moving along a surface in a direction having the features discussed above. Accordingly, claim 16 patentably distinguishes over the prior art and is allowable. Claims 17, 18, 20, 22, and 23, being dependent upon claim 16, are thus at least allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 16-20, 22, and 23 under 35 U.S.C. § 103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

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